

Serial No. 10/034,124

Amendment dated April 15, 2004

In Reply of Office Action dated October 15, 2003

R E M A R K S

The Office Action dated October 15, 2003 has been received and its contents carefully noted.

In view of the foregoing amendments, and following representations, reconsideration and allowance are respectfully requested.

Examiner Vanaman is thanked for the courtesies extended undersigned counsel during the telephone interview of April 14, 2004.

In the telephone interview of April 14, 2004, Examiner Vanaman indicated he would allow a personal interview and consider a further Amendment if the application were not allowable or if there were formal matters to be addressed that could not be handled by telephone.

As to the Office Action itself, please note the following.

To overcome the rejection of claim 1 as being an obvious variation of U.S. Patent No. 3,830,387 to Virnig modified in view of U.S. Patent No. 5,378,004 to Gunlock, Applicant has amended claim 1 to further define over the prior art, to reduce the number of issues, and to expedite prosecution.

Amended independent claim 18 likewise sets forth additional novel and unobvious specifics of Applicant's invention that would not have been taught nor rendered by the Examiner's proposed combination of Virnig modified by Gunlock.

Serial No. 10/034,124

Amendment dated April 15, 2004

In Reply of Office Action dated October 15, 2003

The proposed combination would have taught directly away from Applicant's particularly claimed swivel point, mouth, and opening, which opening faces away from the handle.

For brevity of discussion, the patentability of the dependent claims will be allowed to rest on their dependence from independent claims 1 and 18, respectively.

Claims 2, 8, 16, and 21 have been cancelled.

To provide Applicant with the varied scope of protection to which he is entitled, Applicant has set forth new claims 22-24.

Only twenty(20) claims are present in the application.

The application is submitted to be in condition for allowance with claims 1, 3-7, 9-15, 17-20 and 22-24. Claims 1 and 18 are in independent form.

Attached is a check including the \$475.00 fee for a three month extension of time (Small Entity). Three(3) claims were cancelled and three(3) claims were added, and only twenty (20) claims (2 independent) are present, so no additional claims fee is due. It is believed that no additional fee is due; however, should that determination be incorrect, please charge any deficiencies to our Deposit Account No. 19-2105 and notify the undersigned in due course.

Serial No. 10/034,124

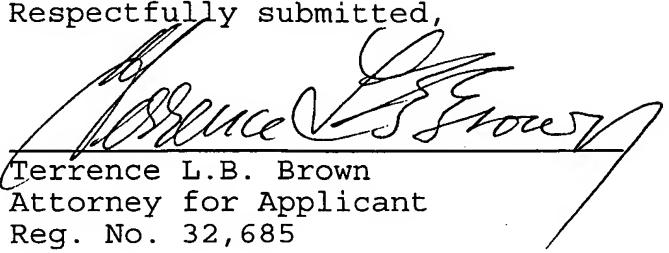
Amendment dated April 15, 2004

In Reply of Office Action dated October 15, 2003

Should Examiner Vanaman have any questions or wish to discuss further this matter, please contact the undersigned at 703-684-5600.

Respectfully submitted,

Date: April 15, 2004


Terrence L.B. Brown
Attorney for Applicant
Reg. No. 32,685

SHLESINGER, ARKWRIGHT & GARVEY LLP
3000 South Eads Street
Arlington, Virginia 22202
(703) 684-5600

sb